



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/765,755 Confirmation No: 1942
Applicants : Isaac Pendergrass
Filed : 1/26/2004
TC/A.U. : 2837
Examiner : Shik Luen Paul Ip

Docket Number : 200314573-1
Customer Number : 022879

AMENDMENT UNDER 37 CFR 1.111.

Sir:

Please reconsider the above-identified patent application in view of the amendments to the claims as well as the remarks herein.

There are no amendments to the specification.

Amendments to the Claims are reflected in the complete listing of all pending claims, which begins at page 2 of this paper.

Remarks begin on page 5 of this response.

combined with Sugita, would result in a media door opening system that only allows the user to insert a CD or other media during the brief period that the media door is open. Further, given that Takada does not allow the user to control or to predict when the media door closes, the combined system seems unworkable in that the user must insert a CD or other media during the period that the media door is open, before the timer of Takada expires.

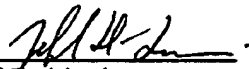
At page 2 (bottom) and page 3 (top) of the Office action, the Examiner has asserted that a "Prima facie case is made that the use of hand gestures for opening and closing a door with a first sensor and a second sensor for detecting the presence/absence of a user is notoriously old in the art". The Applicant requests that the Examiner provide a reference that supports this assertion.

In view of the amendments to the claims and arguments above, the Applicant requests that the Examiner withdraw the rejection.

II. Additional Fees:

It is not believed that additional fees are due at this time; however, if any additional fee is required in connection with the filing of this Amendment, please charge the fee to Deposit Account No. 08-2025.

Respectfully Submitted,
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